

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

CHRISTIAN TORRES, and
CHRISTINA DASRATH,

Defendants.

08 CRIM 543
INDICTMENT

08 Cr.

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-x

COUNT ONE

(Conspiracy to Commit Bank Fraud)

The Grand Jury charges:

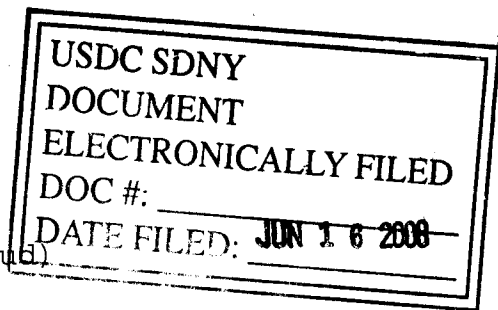
Relevant Persons and Entities

1. From on or about November 2, 2005, through and including July 8, 2007, CHRISTIAN TORRES, the defendant, was a cadet training for employment with the New York City Police Department (the "NYPD"). From on or about July 9, 2007, through and including April 10, 2008, TORRES was a Police Officer of the NYPD.

2. At all times relevant to this Indictment, CHRISTINA DASRATH, the defendant, was employed as a teller at a branch of a financial institution (the "Branch"), the deposits of which are insured by the Federal Deposit Insurance Corporation, located at 57 Avenue A, New York, New York.

The Fraudulent Scheme

3. From in or about June 2007, through and including April 16, 2008, CHRISTIAN TORRES and CHRISTINA DASRATH, the



defendants, schemed to defraud the financial institution by whom DASRATH was employed by falsely creating the impression that an unknown man had robbed DASRATH, at her teller station at the Branch, when in truth and in fact, TORRES and DASRATH were acting in concert to obtain money under the custody and control of the financial institution.

4. On or before June 8, 2007, CHRISTINA DASRATH, the defendant, told CHRISTIAN TORRES, the defendant, about the training she had received from the Branch regarding how to respond to attempted bank robberies. In particular, DASRATH told TORRES that if a robber handed her a note demanding money, her instructions were to give the robber the money.

5. Thereafter, on or about June 8, 2007, CHRISTIAN TORRES, the defendant, entered the Branch and handed CHRISTINA DASRATH, the defendant, a note demanding money and threatening to shoot bank employees. DASRATH complied by handing TORRES approximately \$16,305 from her teller drawer. TORRES later delivered to DASRATH a portion of the stolen money. On or about November 16, 2007, and April 16, 2008, among other occasions, DASRATH lied to law enforcement officials investigating the apparent robbery and failed to disclose her relationship with TORRES to investigators.

Statutory Allegation

6. From in or about June 2007, through and including April 16, 2008, in the Southern District of New York and elsewhere, CHRISTIAN TORRES and CHRISTINA DASRATH, the defendants, and others known and unknown, unlawfully, willfully and knowingly, did combine, conspire, confederate and agree together and with each other to commit certain offenses against the United States, in violation of Section 1349 of Title 18, United States Code.

7. It was a part and an object of the conspiracy that CHRISTIAN TORRES and CHRISTINA DASRATH, the defendants, and others known and unknown, unlawfully, willfully, and knowingly, would and did execute a scheme and artifice to defraud a financial institution and obtain the moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

Overt Acts

8. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about June 8, 2007, in New York, New York, CHRISTIAN TORRES, the defendant, entered the Branch and handed CHRISTINA DASRATH, the defendant, a note demanding money and threatening to shoot bank employees;

b. On or about June 8, 2007, in New York, New York, CHRISTINA DASRATH, the defendant, spoke with law enforcement officials about the apparent robbery, but did not reveal that she knew the robber to be TORRES; and

c. On or about April 16, 2008, in New York, New York, CHRISTINA DASRATH, the defendant, spoke with law enforcement officials about the apparent robbery, but did not disclose her own participation in it.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Bank Larceny)

The Grand Jury further charges:

9. The allegations of paragraphs one through five are repeated and realleged as though fully set forth herein.

10. On or about June 8, 2007, in the Southern District of New York, CHRISTIAN TORRES and CHRISTINA DASRATH, the defendants, unlawfully, willfully, and knowingly, did take and carry away, with intent to steal and purloin, property and money and other things of value exceeding \$1,000 belonging to, and in the care, custody, control, management, and possession of a bank,

credit union, and savings and loan association, to wit, TORRES and DASRATH stole approximately \$16,205 from the Branch by TORRES handing DASRATH a note demanding money and threatening to shoot bank employees.

(Title 18, United States Code, Sections 2113(b) and 2.)

COUNT THREE

(Bank Robbery)

The Grand Jury further charges:

11. The allegations of paragraphs one, two, four, and five are repeated and realleged as though fully set forth herein.

12. On or about November 16, 2007, in the Southern District of New York, CHRISTIAN TORRES and CHRISTINA DASRATH, the defendants, unlawfully, willfully and knowingly, did by force and violence, and by intimidation, take and attempt to take, from the person and presence of another, and did obtain and attempt to obtain by extortion, property and money belonging to and in the care, custody, control, management, and possession of a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and in committing and attempting to commit that offense, did assault a person and put in jeopardy the life of a person by the use of a dangerous weapon and device, to wit, TORRES and DASRATH robbed the Branch by TORRES brandishing a gun and ordering bank employees to hand him money.

(Title 18, United States Code, Sections 2113(a), (d) and 2.)

COUNT FOUR

(False Statements)

13. The allegations of paragraphs one through five are repeated and realleged as though fully set forth herein.

14. From on or about November 16, 2007, through and including on or about April 16, 2008, in the Southern District of New York, CHRISTINA DASRATH, the defendant, unlawfully, willfully, and knowingly, in a matter within the jurisdiction of the executive branch of the Government of the United States: (1) falsified, concealed, and covered up by trick, scheme, and device a material fact; and (2) made materially false, fictitious, and fraudulent statements and representations, to wit, DASRATH, concealed from investigators her involvement in the November 16, 2007, robbery of the Branch charged in Count Two and made false statements about the identity of the man who committed the robbery.

(Title 18, United States Code, Section 1001).


FORFEITURE ALLEGATION

15. As a result of committing the bank fraud offense alleged in Count One of this Indictment, CHRISTIAN TORRES and CHRISTINA DASRATH, the defendants, shall forfeit to the United States pursuant to Title 18, United States Code, Section 982, all property, real and personal, constituting, or derived from,

proceeds TORRES and DASRATH obtained directly or indirectly, as the result of such violation.

(Title 18, United States Code, Section 982.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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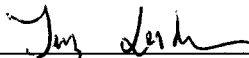
INDICTMENT

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(18 U.S.C. §§ 1349, 2113(a), 2113(d),
1001, and 2.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


6/16/08

Foreperson.
